IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE ELEVENTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 14134 of 2004

Between:

1 N.Rajyam, S/o Balaiah,
H.No.18-1-73, Boddidagadda Basti, Bellampalli, Adilabad District
2 R.Satyanarayana, S/o Venkataramulu,
H.No.18-1-73, Boddidagadda Basti, Bellampalli, Adilabad District
3 V.Bhoomaiah, S/o V.Rajaiah,
H.No.18-1-73, Boddidagadda Basti, Bellampalli, Adilabad District
4 D.Rajendra Prasad, S/o D.Mallaiah,
H.No.18-1-73, Boddidagadda Basti, Bellampalli, Adilabad District
5 D.Krishna Murthy, S/o D.Mallaiah,
H.No.18-1-73, Boddidagadda Basti, Bellampalli, Adilabad District
6 B.Koteswar, S/o Chandraiah,
H.No.18-1-73, Boddidagadda Basti, Bellampalli, Adilabad District
7 Mesa Mallaiah, S/o Peddulu,
H.No.18-1-73, Boddidagadda Basti, Bellampalli, Adilabad District

..... PETITIONERS

AND

1 The Singareni Collieries Co.Ltd Rep.by its General Manager (Projects), Post Bellampalli, Adilabad District
2 The Superintending Engineer (E & M) Area Workshop, Bellampalli Area (Projects),The Singareni Collieries Co.Ltd Bellampalli, Adilabad District
3 The Agent, Goleti 1 Incline, Underground & Open Cast
Singareni Collieries Co.Ltd. Goleti, Bellampalli Area, Adilabad District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order direction or writ particularly one in the nature of writ of Mandamus or any other appropriate writ declaring the proceedings No.BPA/Per/12/1522 dated 13-05-2003 posting the petitioner from Area Workshop, Bellampalli (P) Area to Goleti 1

Incline to work underground mine is illegal and arbitrary; (ii) declare the proceedings No.BPA/PER/12/1977 dated 19-6-2003 directing the petitioners to work underground at Goleti 1 Incline as illegal and arbitrary; and consequently set aside the same with further direction to post the petitioners in Area Workshop, Bellampalli Area

Counsel for the Petitioner:MR.G.VIDYASAGAR

Counsel for the Respondent No.: MR.N.KRISHNA RAO

The Court made the following :

THE HON'BLE Dr. JUSTICE G.YETHIRAJULU

W.P.NO.14134 OF 2004

ORDER:

The petitioners are working as General Mazdoors in the respondent-company.

They were transferred from Bellampalli to work at Goleti 1 Incline, through the proceedings dated 12/13.05.2003, passed by the first respondent.

The petitioners submit that in the previous station they were working on the surface mine where as in the new station they were directed to work in the underground mine. Since they have put in more than 20 years of service, it will be difficult for them to work in the underground mine. Therefore, they have made a representation to the respondents on 03.08.2004, to permit them to work on the surface mine.

The grievance of the petitioners is that the respondents did not consider their representation and pass any orders. Therefore, they approached this Court seeking direction to the first respondent to consider their representation, dated 03.08.2004.

In the light of the circumstances explained by the petitioners, the first respondent is directed to pass appropriate orders as per the existing rules prescribed under the law on the representation of the petitioners dated 03.08.2004 within a period of four weeks from the date of receipt of a copy of this order.

The writ petition is disposed of accordingly. No order as to costs.

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(Dr.G.YETHIRAJULU, J)

Dated 11th August, 2004.

YCR

To

1 The General Manager, Singareni Collieries Co.Ltd (Projects), Post

Bellampalli, Adilabad District

2 The Superintending Engineer (E & M) Area Workshop, Bellampalli

Area (Projects),The Singareni Collieries Co.Ltd Bellampalli,

Adilabad District

3 The Agent, Goleti 1 Incline, Underground & Open Cast
Singareni Collieries Co.Ltd. Goleti, Bellampalli Area, Adilabad

District.

4. 2 C.D. copies.